

HB 768 -- JUVENILE COURTS

SPONSOR: Lant

Currently, a child taken into custody by a juvenile officer or law enforcement official is required to be advised of certain rights. This bill specifies that the child must be advised orally and in writing. The bill also specifies that a juvenile officer shall ensure the child in custody is advised of the limited role of the juvenile officer during questioning by law enforcement and shall specifically advise the child that the juvenile officer is not legal counsel for the child nor an advocate for the child during questioning by law enforcement. Furthermore, the juvenile officer shall not participate in questioning by law enforcement, asking questions or soliciting any information from the child regarding the alleged offense or offenses.

Additionally, the bill provides that a child who is 17 years old and who is without proper care but is in need of care and treatment is entitled to be represented by a guardian ad litem in all juvenile or family court proceedings.

The presiding judge of the circuit shall ensure that any case in the family court or juvenile court divisions in which a juvenile officer is a participant is not heard by a judge who is the appointing authority for the juvenile officer or other necessary juvenile employees.